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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE
Town Planning Application Management System (TPAMS)
AFLA Portal (stellenbosch.gov.za)
https://citymaps.stellenbosch.gov.za/aflaportal/home

NOTE: *Land Use Application Form A* is the main application form for all types of land use activities. *Land Use Application Form B* can be used if the application comprises ONLY an application for a departure or for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed. If any other type of application is also required, *Land Use Application Form A* must be completed.

LAND USE APPLICATION FORM B

Section 15(2) of the Land Use Planning Bylaw (LUPB) and restrictive title deed conditions

Permanent departure from the development parameters of the zoning scheme
Permission in terms of the zoning scheme
Extension of validity period of approval
Permission in terms of a condition of approval
To obtain consent or **Permission in terms of the Title Deed**

Complete this form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS	
First name(s)	
Surname	
Company name *(If applicable)*	
Street or Postal Address	
Email Address	
Contact Number	
PART B: REGISTERED LANDOWNER(S) DETAILS *(If different from applicant)*	
Registered owner(s) Name	
Street or Postal Address	
E-mail Address	
Contact Number	

PART C: PROPERTY DETAILS *(in accordance with title deed)*					
Erf No		Suburb		Town	
Farm no		Farm Portion		Nearest Town	
Physical or Street Address			Property / Business / Farm known as		
Current Zoning					
Additional or Consent Uses					
Current activities					
Property Size / Extent				Are there existing buildings?	Y / N
Title Deed number	T				

	Y	N		Y	N
Any restrictions ito Conveyance's Certificate?			If yes, list condition(s) in motivation report.		
Are the restrictive conditions in favour of a third party?			If yes, list the party(ies) in motivation report.		
Is the property owned by Council?			If yes, attach a power of attorney signed by the Municipal Manager or delegated authority.		
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]			If yes, indicate which section are triggered in motivation report and attach relevant permit.		
Is the property or building located within the historical core or contains any heritage significant features?			Is the building older than 60 years?		
Does the property fall inside the urban edge?			Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?		
Does the property fall within the Urban or Rural Conservation Overlay Zone?			Does the property fall within the Scenic Route Overlay Zone?		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Are there any land claim(s) registered on the subject property(ies)?		
Any existing unauthorized buildings and/or land use on the subject property(ies)?			If yes, is this application to legalise the building / land use[2]?		
Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.					

PART D: PRE-APPLICATION CONSULTATION *(Not compulsory)*			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw?	**Y**	**N**	If yes, attach the minutes or written feedback received.

[1] All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

[2] No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES			
APPLICATION IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		**Number**	**Fee**
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 800.00
15(2)(g)	permission required in terms of the zoning scheme		R2 800.00
15(2)(i)	an extension of the validity period of an approval – 50% of current application fee		R.....
15(2)(l)	permission required in terms of a condition of approval		R2 800.00
OTHER APPLICATIONS		**Number**	**Fee**
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)			R2 800.00
	TOTAL APPLICATION FEE PAYABLE	**R**	

DETAILS FOR INVOICE	
Name & Surname (party responsible for payment)	
Postal Address	
Vat Number (where applicable)	

1. ***Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.***
2. ***All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fee as per the Tariff Rules. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.***
3. ***The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.***

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality
Bank:	STANDARD BANK
Branch no.:	051001
Account no.:	242637280
Payment reference:	TP_____ and ERF/FARM _____

Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development listing proposed land use activities)*

HOA Constitution – Name & Date of approval, if applicable	
Design Guidelines – Name & Date of approval, if applicable	

Departure / Relaxation / Suspension	Zoning Scheme Development Parameter		Design Guideline Development Parameter		Restrictive Title Condition	
		Adjoining erf number		**ZS / DG / RTC**		**Proposal**
Building line encroachment	Street		**From**		**To**	
	Street		**From**		**To**	
	Side / Common		**From**		**To**	
	Side / Common		**From**		**To**	
	Aggregate side		**From**		**To**	
	Rear		**From**		**To**	
Exceeding permissible coverage / footprint			**From**		**To**	
Exceeding maximum permitted bulk / floor factor / habitable rooms			**From**		**To**	
Exceeding height restriction			**From**		**To**	
Exceeding maximum storey height			**From**		**To**	
Exceeding maximum boundary wall height	Street		**From**		**To**	
	Side / Rear		**From**		**To**	
Relaxation of on-site parking / loading requirements			**From**		**To**	

PART G: MOTIVATION FOR APPLICATION

Motivate why the application is necessary for the development of the subject property, considering the impact the proposal has on the rights and privacy of the adjoining property(ies), vehicle access and on-site parking. For a technical approval / additional use consider the criteria in Section 13 of the Zoning Scheme Bylaw. For the approval of an owner's association constitution consider the criteria in Section 29 of the LUPB. For the approval of a site development plan, consider the criteria in Section 65(2) of the LUPB. For the extension of validity, consider the criteria in Section 67(2) of the LUPB. When the section is completed and all the relevant documents are attached, it is not necessary to submit a separate report for motivation.

PART H: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Y	N		Y	N	
		Power of attorney / Owner's consent if applicant is not owner			Owners' association consent with signature on layout plan
		Resolution or other proof that applicant is authorised to act on behalf of a juristic person			Consent form duly completed by abutting owner(s) with signature on layout plan
		Proof of registered ownership (Full copy of the title deed)			Owners' association constitution
		Copy of original approval and conditions of approval			Owners' association design guidelines
		Minutes or Written feedback of pre-application consultation (if applicable)			Written motivation pertaining to the desirability and impact of the application (in addition to Part G, if applicable)
		Locality plan (A4 or A3 only) to scale			Floor layout plan (A4 or A3 only) to scale
		Site plan or conceptual layout plan (A4 or A3 only) to scale			Landscaping / Tree plan (A4 or A3 only) to scale
		Other (specify):			Other (specify):

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect or misleading or not believing them to be correct.*
3. *I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.*
4. *Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.*
5. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.*
6. *I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.*
7. *It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.*
8. *The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.*
9. *Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.*
10. *The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.*
11. *Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.*
12. *A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.*
13. *A person who supplies particulars, information, or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.*
14. *The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.*
15. *I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.*

Applicant's signature: _____ **Date:** _____

Full name: _____

Professional capacity: _____

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DECLARATION BY AFFECTED PARTY(IES) / PROPERTY OWNER(S)
CONSENT / OBJECTION FORM

Dear Sir/Madam

This letter serves to notify potentially affected parties of the application set out hereunder.

APPLICATION DETAILS							
Erf / Farm No.				Area			
Applicant / consultant				Contact No.			
Application type in terms of applicable planning legislation		Building Line Departure		Other Departures		Amendment of Conditions	
		Consent Use		Other *(please specify)*			
Detailed description of application							

DECLARATION BY AFFECTED PARTY(IES) / PROPERTY OWNER(S)

1. If signing on behalf of a company / trust, please attach written proof of authorisation to do so. If affected premises are owned by more than one person (i.e., both husband and wife), all parties to sign.
2. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.
3. Ensure the application detail description section above is properly completed.
4. Ensure the plan specified below corresponds with the plan shown to and signed by you.

I/We, registered owner(s) of the undermentioned premises, having been shown the proposed site plan / building plan in respect of the aforementioned application and having signed it, I/we confirm that I/we understand the proposal as set out above and confirm that (please tick below):

I/we have **no objection**		I/we **object** for the reasons listed hereunder	
Reasons for objection			

Signature of affected party / property owner				Date	
Full name (capitals)					
Company name					
Erf / Farm No. of affected property					
Street address of affected party					
				Postal code	
Contact No.	Office / Home		Cell		

Note to applicant:

The completed form must be submitted with the application. If the affected party / property owner is not prepared to sign this form, the applicant must notify the Department and submit the application without the signed form so that the Department can formally give instructions in terms of the Land Use Planning Bylaw to advertise the application via email or post.